

ELLSBERG-RUSSO DEFENSE

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The Pentagon Papers trial will show that Vietnam is one country. Nixon's holding out for a "just and fair" settlement, while carpet-bombing major cities with B-52's, is an attempt to use terror and coercion to solidify an already illegitimate partition of the country into North and South. For Nixon, law and order really means cash and violence. History shows this.

On September 2, 1945, Ho Chi Minh declared the existence of the Democratic Republic of Vietnam. The Emperor Bao Dai, just a week before, had handed over the reins of power to Ho's provisional government - the lone source of opposition to Japanese occupation forces. Vietnam was one country - north, central and south. For three weeks, Ho's government was freely operational and would have gone on to prove itself had not the British retaken Saigon by force. Vietnamese fought in the streets of Saigon, but were overcome by superior British arms. Vietnam was severed by force; the British handed over Saigon to the French. Having regained a foothold in Vietnam, the French prepared for re-conquest, and a year later, in November, 1946, shelled Haiphong.

During that year, Ho Chi Minh negotiated in good faith with the French, but in the end was deceived and war broke out. The Vietnamese fought on until 1954, finally defeating the French who had heavy American support.

History and the Pentagon Papers have shown that the Amer-

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can leaders in 1954, (Nixon and Eisenhower), were "more convinced than ever of the need for decisive military victory." (GPO, I, p. 111 a 1). Nixon seems not to have changed at all. As the still-secret negotiations volumes of the Pentagon Papers show, U.S. government leaders have escalated the bombing every time peace talks have reached a ^{positive} ~~sensitive~~ stage.

More than anything else, Nixon is trying to show that force works. He has the public believing that more force brings a quicker end to the war. Actually, less force will bring a quicker end. The gentle force of a pen signing the October Accords can bring the prisoners home and a quicker end to U.S. involvement.

Nixon has, in fact, already agreed to the October Accords; he engages in more murderous and barbaric bravado because he wants now to go back on his word and keep Vietnam divided. The Pentagon Papers show very clearly that the Saigon government is essentially a creation of the U.S. The U.S. government defrauds the American people, the Vietnamese people and the world by maintaining support for the corrupt U.S.-appointed dictator, Thieu. Two Vietnams exist only at the point of American bayonets, not on the basis of international law. The only legal basis for American presence in Vietnam is a protocol agreed upon in 1950 by the French and Americans. As the Pentagon Papers trial will show, the U.S. has never had a treaty obligation to South Vietnam. For one who always speaks of law and order, Nixon is on flimsy ground in demanding the legalization

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of the partition line. History will take little time in condemning Nixon for making names like Haiphong and Quang Tri synonymous with Dachau and Buchenwald. For Nixon, war is peace and ~~honor is~~ disgrace, ^{is} honor.

Prolonging the war will never alter the fact that Vietnam is one country. The legal basis for that exists in the Geneva Accords. Ultimately, that reality will be born out by the courageous spirit of the Vietnamese people who have shown Nixon that might does not make right.

Nguyen Trung Truc, a Vietnamese peasant, executed by a French firing squad in 1868, shouted before he died, "So long as there is grass on this land, there will be men to resist the invaders." Truc illustrates the same spirit that exists today in Vietnam. America has, in fact, lost the war. Nixon's bravado with the B-52's can never change that, it can only kill a little more grass each day.

TONY

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